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April 30, 2010

VIA ELECTRONIC MAIL: telesca@nywd.uscourts.gov

Hon. Michael A. Telesca
United States District Court Judge
Western District of New York
100 State Street
Room 272
Rochester, New York 14614

Re: Fox v. County of Yates, *et al.*
Case No.: 10-cv-6020(T)

Dear Judge Telesca:

By stipulation of the undersigned, please allow this letter to confirm that the parties have consented to the following:

- (1) Plaintiff shall file her cross-motion to amend complaint on or before May 6, 2010;
- (2) Defendants shall have until May 26, 2010 to either (a) amend their motion to dismiss or (b) submit an Answer to the Amended Complaint; and
- (3) in the event that Defendants elect to amend their motion to dismiss, any responding and/or reply papers shall be due in accordance with the Local Rules of Civil Procedure based upon a new return date established by the Court.

Please be advised that the return date of Defendants' Motion to Dismiss is currently scheduled for May 6, 2010.

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Thank you for your continued courtesies in this matter.

SO STIPULATED:

/s/ Anthony LaDuca

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SO ORDERED:

May 3, 2010

S/ MICHAEL A. TELESCA
Michael A. Telesca
United States District Judge

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